

REMARKS

Claims 4-12, 15-18, 20-34, 36, 38-40 and 52-58 are pending. Process claims 53-57 have been withdrawn from consideration as being drawn to nonelected subject matter.

Applicants incorporate herein by reference in their entirety, the arguments and amendments made in the April 15, 2008 Amendment.

As the Examiner will recall, the Examiner relies on EP 1 095 764 (EP '764) in the rejection recited in section "7" of the outstanding Office Action at page 8. Since EP '764 is available under 35 USC 102(a), Applicants enclose herewith verified English translations of the priority documents JP 2000-203088 and JP 2000-203089, both of which were filed in Japan on June 30, 2000 to remove EP '764 from the prior art. Applicants respectfully request that these documents be made record in the present application and withdrawal of the rejection based on EP '764 in view of EP '782 recited in section "7" of the outstanding Office Action at page 8.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Ph.D., Esq., Reg. No. 43,575 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: June 23, 2008

Respectfully submitted,

By  #43575

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